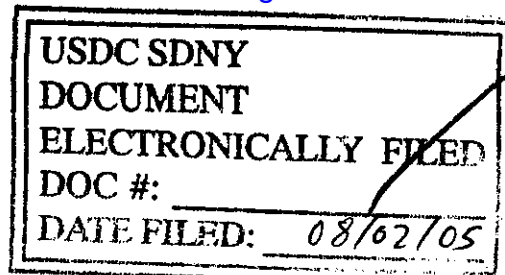


UNITED STATES DISTRICT COURT
SOUTHER DISTRICT OF NEW YORK



Barillo

Plaintiff(s),

-against-

Blazer

Defendant(s),

05 civ 3493 (JGK)

CIVIL SCHEDULING ORDER

JOHN G. KOELTL, DISTRICT JUDGE:

Pursuant to Fed.R.Civ.P 16(b), after holding a conference in this matter on 8/2/05

the Court hereby orders that:

Pleadings and Parties: Except for good cause shown:

1. No additional parties may be joined or causes of action asserted after 8/19/05.
2. No additional defenses may be asserted after 8/29/05.

Discovery: Except for good cause shown, all discovery shall be commenced in time to be completed by 11/11/05. The Court expects discovery to be completed within 60 days of the first scheduling conference unless, after the expiration of that 60 day period, all counsel stipulate that additional time (not to exceed 60 more days) is needed to complete discovery.

Dispositive Motions: * Dispositive motions, if any, are to be completed by 12/2/12.16/05

Pretrial Order/Motions In Limine: * A joint pretrial order together with any motions in limine or motions to bifurcate shall be submitted by 1/6/06. The pretrial order shall conform to the Court's Form Joint Pretrial Order, a copy of which may be obtained by the Deputy Clerk.

Trial: * The parties shall be ready for trial on 48 hours notice on or after 1/13/06. The estimated trial time is 5 days, and this is a jury ☒ /non jury ☐.

*Notes: In the event a dispositive motion is made, the dates for submitting the Joint Pretrial Order (together with Memoranda of Law, Requests to Charge, Proposed Voir Dire, Proposed Findings of Fact and Conclusions of Law, as appropriate) shall be changed from that shown above to three (3) weeks from the decision on the motion. The ready trial date shall be adjourned to a date four (4) weeks after the decision on the dispositive motion. The final pretrial conference, if any, will be scheduled by the Deputy Clerk.

At any time after the ready for trial date, counsel must notify the Court and their adversaries in writing of any potential scheduling conflicts, including, but not limited to, trials and vacations that would prevent a trial at a particular time. Such notice must come before

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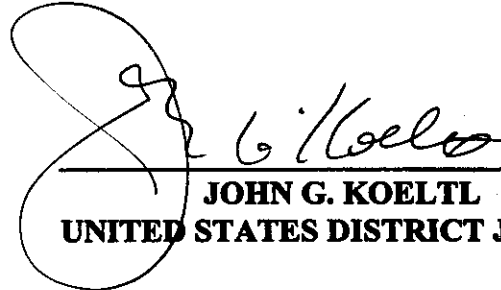
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counsel are notified by the Court of an actual trial date, not after. Counsel should notify the Court and all other counsel in writing, at the earliest possible time of any particular scheduling problems involving out-of-town-witnesses or other exigencies.

Other:

_____ The case is referred to the Magistrate Judge for purposes of settlement
(see attached Reference Order).
✓ _____ The parties will notify the Court by 8/2/05 whether a reference to
the Magistrate Judge would be useful for purposes of settlement and whether they
consent to trial before the Magistrate Judge. The parties may communicate with
the Court with respect to a reference for settlement by joint letter. If the parties
consent to trial before the Magistrate Judge, they are directed to do so by
stipulation.

SO ORDERED:



JOHN G. KOELTL
UNITED STATES DISTRICT JUDGE

Dated: New York, New York

8/2/05